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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/551,576 | 04/10/2007 | Peter Charnock | APLE 200003US01 | 3813 |
| 27885 | 7590 | 09/13/2010 | | |
| FAY SHARPE LLP 1228 Euclid Avenue, 5th Floor The Halle Building Cleveland, OH 44115 | | | EXAMINER WEINER, LAURA S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1795 | |
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| | | | 09/13/2010 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10551576 | 4/10/2007 | CHARNOCK ET AL. | APLE 200003US01 |

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

EXAMINER

/Laura S. Weiner/

| ART UNIT | PAPER |
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| 1795 | 20100911 |
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 9-7-2010 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

A polymer electrolyte membrane or gas diffusion electrode comprising:

I) an ion-conducting polymeric material of: choose one:

A) Formula (I) of claim 4 [please define E, E' and Ar by choosing one of (i)* or (i) or (ii), ... (x)] or

B) Formula (II) of claim 4 [please define G] or

C) Formula (III) of claim 4 [please define G] or

D) first formula claimed in claim 6 [please define E, E', G and Ar by choosing one of (i)* or (i) or (ii), ... (x)] or

E) second formula claimed in claim 6 [please define E, E', G and Ar by choosing one of (i)* or (i) or (ii), ... (x)] or

F) Formula (IV*) of claim 6 [please define G, E, E' and Ar by choosing one of (i)* or (i) or (ii), ... (x)] or

G) Formula (V*) of claim 6 [Please define G, E, E' and Ar by choosing one of (i)* or (i) or (ii), ... (x)] or

H) the polymeric material claimed in claim 9 [please define X and Y] or

I) one of the copolymers cited in claim 14 such as a) or b) or c) or d) or e)... (m) or

J) claim 15, includes a first unit from either (a) or (b) from claim 14 in combination with a second unit of (d) or (f) from claim 14 or

K) claim 16, includes:

(a) in combination with (d) or

(a) in combination with (d) and (g) or

(b) in combination with (f) or

(b) in combination with (f) and (g).

II) Choose one for the ion-conducting polymer material is a) phenyl moieties or b) carbonyl moieties or c) sulphone moieties or d) carbonyl and sulphone moieties or e) ether moieties or f) thioether moieties or g) ether and thioether moieties.

III) Choose if the ion-conducting polymeric material is crystalline or crystallisable or not (claim 7).

IV) Choose if the polymeric material includes at least some ketone moieties in the polymer chain or not.

V) Choose if the polymer electrolyte membrane is for a fuel cell or an electrolyser.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura S. Weiner whose telephone number is 571-272-1294. The examiner can normally be reached on M-F (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura S Weiner/
Primary Examiner
Art Unit: 1795